

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH
OFFICE OF THE CLERK**

March 30, 2007

Notice

TO: ALL MEMBERS OF THE BAR AND OTHER COURT USERS

Subject: Automatic Adjustment of Certain Dollar Amounts in the Bankruptcy Code and Official Bankruptcy Forms EFFECTIVE APRIL 1, 2007

On April 1, 2007, automatic adjustments to the dollar amounts stated in various provisions of the Bankruptcy Code, Title 28 U.S.C., will become effective. These amended dollar amounts will apply to cases filed on or after April 1, 2007. The amended dollar amounts will affect the eligibility of a debtor to file under Chapters 12 and 13 of the Bankruptcy Code, certain maximum values of property that a debtor may claim as exempt, the calculation of the “means test” for Chapter 7 debtors, the duration of a Chapter 13 plan, the definition of a small business debtor, the minimum aggregate value of claims needed to commence an involuntary bankruptcy, and the value of “luxury goods and services” deemed to be nondischargeable and the location where the trustee may commence certain proceedings to recover a money judgment or property.

In the Bankruptcy Reform Act of 1994, as amended by the Bankruptcy Abuse and Consumer Protection Act of 2005, Congress provided for the automatic adjustment of these dollar amounts at three-year intervals. The relevant provisions are codified in of the Bankruptcy Code, 11 U.S.C. § 104(b).

The adjustments reflect the change in the Consumer Price Index for All Urban Consumers published by the United States Department of Labor for the three-year period ending December 31, 2006, and rounded to the nearest \$25. Use of this formula to adjust specified dollar amounts in the Bankruptcy Code is prescribed by 11 U.S.C. § 104(b)(1). Attached is a chart showing the affected sections of the Bankruptcy Code and both the current and the revised dollar amounts in those sections.

Seven of the Official Bankruptcy Forms contain references to several of the affected dollar amounts: will be amended April 1, 2007, and will apply to cases filed on or after that date. Copies of the amended forms are available on the Court’s website at www.utb.uscourts.gov and at the 350 South Main Street, Room 301, SLC, UT 84101

- Official Form 1 Voluntary Petition
- Official Form 6C, Schedule of Property Claimed as Exempt
- Official Form 6E, Schedule of Creditors Holding Claims Entitled to Priority
- Official Form 7, Statement of Financial Affairs
- Official Form 10, Proof of Claim
- Official Form 22A, Statement of Current Monthly Income and Means Test Calculation (Chapter 7)
- Official Form 22C, Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Chapter 13)

Title 28, U.S.C.	Dollar Amount to be Adjusted	New (Adjusted) Dollar Amount
1409(b) - a trustee may commence a proceeding arising in or related to a case to recover		
(1) - money judgment of or property worth less than	\$1,000	\$1,100
(2) - a consumer debt less than	\$15,000	\$16,425
(3) - a non consumer debt against a non insider less than	\$10,000	\$10,950
Title 11, U.S.C.		
Section 101(3) - definition of assisted person	\$150,000	\$164,250
Section 101(18) - definition of family farmer	\$3,237,000 (each time it appears)	\$3,544,525 (each time it appears)
101(19A) - definition of family fisherman	\$1,500,000 (each time it appears)	\$1,642,500 (each time it appears)
101(51D) - definition of small business debtor	\$2,000,000 (each time it appears)	\$2,190,000 (each time it appears)
Section 109(e) - allowable debt limits for individual filing bankruptcy under chapter 13	\$307,675 (each time it appears) \$922,975 (each time it appears)	\$336,900 (each time it appears) \$1,010,650 (each time it appears)
Section 303(b) - minimum aggregate claims needed for the commencement of involuntary chapter 7 or chapter 11 bankruptcy		
(1) - in paragraph (1)	\$12,300	\$13,475
(2) - in paragraph (2)	\$12,300	\$13,475

Title 11, U.S.C.	Dollar Amount to be Adjusted	New (Adjusted) Dollar Amount
Section 507(a) - priority expenses and claims		
(1) - in paragraph (4)	\$10,000	\$10,950
(2) - in paragraph (5)	\$10,000	\$10,950
(3) - in paragraph (6)	\$4,925	\$5,400
(4) - in paragraph (7)	\$2,225	\$2,425
Section 522(d) - value of property exemptions allowed to the debtor		
(1) - in paragraph (1)	\$18,450	\$20,200
(2) - in paragraph (2)	\$2,950	\$3,225
(3) - in paragraph (3)	\$475 \$9,850	\$525 \$10,775
(4) - in paragraph (4)	\$1,225	\$1,350
(5) - in paragraph (5)	\$975 \$9,250	\$1,075 \$10,125
(6) - in paragraph (6)	\$1,850	\$2,025
(7) - in paragraph (8)	\$9,850	\$10,775
(8) - in paragraph (11)(D)	\$18,450	\$20,200
522(f)(3) - exception to lien avoidance under certain state laws	\$5,000	\$5,475
522(f)(4)- items excluded from definition of household goods for lien avoidance purposes	\$500 (each time it appears)	\$550 (each time it appears)

Title 11, U.S.C.	Dollar Amount to be Adjusted	New (Adjusted) Dollar Amount
-------------------------	-------------------------------------	-------------------------------------

522(n) - maximum aggregate value of assets in individual retirement accounts exempted	\$1,000,000	\$1,095,000
522(p) - qualified homestead exemption	\$125,000	\$136,875
522(q) - state homestead exemption	\$125,000	\$136,875
523(a)(2)(C) - exceptions to discharge		
in subclause (i)(I) - consumer debts, incurred \leq 90 days before filing owed to a single creditor in the aggregate	\$500	\$550
in subclause (i)(II) - cash advances incurred \leq 70 days before filing in the aggregate	\$750	\$825
541(b)- property of the estate exclusions		
(1) - in paragraph (5)(C) - education IRA funds in the aggregate	\$5,000	\$5,475
(2) - in paragraph (6)(C) - pre-purchased tuition credits in the aggregate	\$5,000	\$5,475
547(c)(9) - preferences, trustee may not avoid a transfer if, in a case filed by a debtor whose debts are not primarily consumer debts, the aggregate value of property is less than	\$5,000	\$5,475

Title 11, U.S.C.	Dollar Amount to be Adjusted	New (Adjusted) Dollar Amount
-------------------------	-------------------------------------	-------------------------------------

707(b) - dismissal of a case or conversion to a case under chapter 11 or 13 (means test)		
(1) - in paragraph (2)(A)(i)(I)	\$6,000	\$6,575
(2) - in paragraph (2)(A)(i)(II)	\$10,000	\$10,950
(3) - in paragraph (2)(A)(ii)(IV)	\$1,500	\$1,650
(4) - in paragraph (2)(B)(iv)(I)	\$6,000	\$6,575
(5) - in paragraph (2)(B)(iv)(II)	\$10,000	\$10,950
(6) - in paragraph (5)(B)	\$1,000	\$1,100
(7) - in paragraph 6(C)	\$525	\$575
(8) - in paragraph 7(A)(iii)	\$525	\$575
1322(d) - contents of chapter 13 plan, monthly income	\$525 (each time it appears)	\$575 (each time it appears)
1325(b) - chapter 13 confirmation of plan, disposable income	\$525 (each time it appears)	\$575 (each time it appears)
1326(b)(3) - payments to former chapter 7 trustee	\$25	\$25